

NO

Decision No. 84314

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Albion-Little River Fire Department,  
Bud Thompson, Cabie Newgard, Lena  
Luzzi, T. L. Sprock, W. D. Pugh,  
David Nierbahe, Garrett Gregory,  
Glen Koskela, Roger Yates, Sarah  
Adelman, Mark Gauche, John Sill,  
Charles Migliavacca, Byron D.  
Randall, W. B. Matheny, and  
Mrs. A. L. Romer,

Plaintiffs,

vs.

Earl Latham, Charles Latham, Alice  
Mae Latham Frazell, Pearl D. Groom,  
Paul E. Andersen, Lois B. Townsend,  
Harvey Bean, Brown Water Works and  
Pacific Gas and Electric Co., a  
public utility, and Does One through  
Five, inclusive,

Defendants.

Case No. 9897  
(Filed April 9, 1975)

ORDER GRANTING INTERIM RELIEF

Complainants allege that they are customers of Brown Water Works, and that the individually-named defendants are the owners and controllers of Brown Water Works.

Complainants allege that defendant Earl Latham, managing owner of Brown Water Works, has requested that electric service to Brown Water Works no longer be billed to defendants by defendant Pacific Gas & Electric Company (PG&E). The effective date of this request is alleged to be on April 10, 1975. The basis for this request is that ownership of Brown Water Works has been transferred to complainants.

Complainants deny the validity of such transfer, and the records of this Commission discloses no authorization for such transfer of ownership, control, operating rights, or utility property. (See Public Utilities Code Sections 851-854.)

Complainants further allege that without electrical service to Brown Water Company they will be deprived of water service to their detriment and injury. They ask for an order requiring defendants to cease and desist from requesting discontinuance of electrical service to Brown Water Works from PG&E. They further seek an order requiring PG&E to continue electrical service.

Good cause has been shown to grant an order preventing the named individuals from taking any action which would discontinue electric service to Brown Water Works, or the billing for such service to the present owners of Brown Water Works. No interim order should issue to PG&E.

We conclude that interim relief should be granted as set forth in the Order below. Defendants are reminded that a public utility has a responsibility that cannot be abandoned without prior authorization from this Commission. (Lakewood Civic Group v. Homestead L. & W. (1957) 56 CPUC 31.)

IT IS ORDERED that Earl Latham, Charles Latham, Alice Mae Latham Frazell, Pearl D. Groom, Paul E. Andersen, Lois B. Townsend, ~~and Harvey Bean~~ immediately cease and desist from any action which would cause interruption of present electric service to Brown Water Works without prior authorization from this Commission.

The cease and desist order against defendant PG&E is denied.

The cease and desist order granted herein shall remain in effect pending further order of the Commission specifically dissolving the order.

The effective date of this order is the date hereof.

C 9897 - NO

Dated at Los Angeles, California, this 10th  
day of April, 1975.

Vernon L. Sturgeon  
President

Leonard Ross  
Robert McQuinn  
Commissioners

Commissioners David W. Holmes  
and William Symons, Jr.,  
being necessarily absent, did  
not participate in the dis-  
position of this proceeding.